

EXHIBIT “A”

Insert name of court, branch court, if any, and address SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE		FOR COURT USE ONLY <div style="font-size: 2em; font-weight: bold; margin: 10px 0;">FILED</div> <div style="font-size: 1.2em; margin: 5px 0;">MAR 12 1991</div> <div style="margin: 5px 0;">GARY L. GRANVILLE, County Clerk</div> <div style="margin: 5px 0;">By <u>fy</u> DEPUTY</div> <div style="margin: 5px 0;">CASE NUMBER: C-79650</div>
PEOPLE OF THE STATE OF CALIFORNIA		
DEFENDANT: PATTERSON, Jody Dion <input checked="" type="checkbox"/> Present <input type="checkbox"/> Not Present		
<input checked="" type="checkbox"/> JUDGMENT OF COMMITMENT TO: <input checked="" type="checkbox"/> STATE PRISON <input type="checkbox"/> COUNTY JAIL <input type="checkbox"/> ORDER GRANTING PROBATION <input type="checkbox"/> AND MINUTE ORDER		

Date of hearing: 03-08-91	Dept. No.: 48	Judge: COMM. R. Aronson	Clerk: F. Yamasaki	Reporter: Dale Murley
Counsel for People: Claudia Silbar, D.D.A.		Counsel for defendant: Brooks Talley, D.P.D.		Probation Officer: Bonnie Katz, D.P.O.

1. Defendant was convicted of the commission of the following crime on (Date): 1-28-91

Count	Code Section	Crime	Degree	By Jury, Court or Plea (Specify)
1	664/187(a) PC	Attempted Murder	First	Jury

2. Defendant ☐ was arraigned ☒ waived arraignment for judgment.
3. The court, having read and considered the probation report and no legal cause having been shown why judgment should not be pronounced
- a. ☒ Sentences defendant to State Prison for the term prescribed by law. (Life with possibility of parole)
- b. ☐ Specifies, pursuant to Pen. C. 1202b, the minimum term of imprisonment shall be six months as to count: _____
- c. ☐ Sentences defendant to County Jail for the period of (Specify number of days): _____
- d. ☐ Suspends imposition of sentence and defendant is placed on probation for the period of: _____
☐ upon conditions set forth in attachment 3d.
4. ☐ Defendant, convicted of more than one count, shall
- a. ☐ serve the sentence as to each count as follows:
- ☐ Consecutive With ☐ Concurrent with
- b. ☐ serve the counts made consecutive in the following order:
5. Defendant shall serve this sentence with respect to any prior uncompleted sentence a. ☒ concurrently. b. ☐ consecutively.
- c. ☐ as set forth below or in attachment 5c.

6. Execution of sentence is
- a. ☐ stayed on the following count: _____ pending appeal, with the stay to become permanent when the sentence is completed as to count: _____
- b. ☐ suspended and defendant is placed on probation for the period of: _____
☐ upon conditions set forth in attachment 6b.
7. ☐ No allegation to enhance punishment was made in count: _____
8. ☒ It was alleged
- a. ☐ Defendant was armed with a deadly weapon at the time of the commission or attempted commission of the crime charged in count: _____
☐ and allegation stricken as to count: _____

(Continued on reverse side)

This form satisfies the requirements of Penal Code 1213.5 (Abstract of Judgment and Commitment). Singular includes the plural. This form is to be used in judgments other than death. A copy of probation report shall accompany this form pursuant to Penal Code 1203c and a copy of any supplementary probation report shall be transmitted to the Department of Corrections. Attachments may be used but must be incorporated by reference.

Form Approved by the
Judicial Council of California
Effective July 1, 1976

JUDGMENT-COMMITMENT

Pen.C. 644, 969c, 969d, 1203, 1213.5,
3024, 12022, 12022.5.

39

- b. ☒ Defendant used a firearm in per ☐ and allegation stricken.
- c. ☐ Defendant was armed at arrest with a concealed deadly weapon with ☐ and allegation stricken.
- d. ☒ Other (Specify and indicate if stricken): Inflicted great bodily injury per 12022.7 PC
9. ☒ The Court finds the defendant
- a. ☐ was armed at the time of commission or attempted commission of the crime with a deadly weapon within the meaning of
- (1) ☐ Pen C. 3024 as to count: ☐ but strikes the finding as to count: ☐
- (2) ☐ Pen C. 12022 as to count: ☐ but strikes the finding as to count: ☐
- (3) ☐ Pen C. 1203 (Specify weapon): ☐ as to count: ☐ but strikes the finding as to count: ☐
- b. ☐ was not armed at the time of commission or attempted commission of the crime within the meaning of
- (1) ☐ Pen C. 3024 as to count: ☐
- (2) ☐ Pen C. 12022 as to count: ☐
- (3) ☐ Pen C. 1203 as to count: ☐
- c. ☒ did use a firearm as to count: 1 ☐ but strikes the finding as to count: ☐
- (1) ☐ The use was one use for the following counts: ☐ The additional penalty shall run consecutively to the sentence on the last count to be served.
- d. ☐ did not use a firearm as to count: ☐
- e. ☐ was armed at the time of arrest with a concealed deadly weapon within the meaning of Pen. C. 3024 ☐ but strikes the finding.
- f. ☐ was not armed at the time of arrest with a concealed deadly weapon within the meaning of Pen. C. 3024.
- g. ☒ Other (Specify and indicate if stricken): did inflict great bodily injury in count 1.
- ☒ The Court orders punishment on enhancements under section 12022.5(b) and 12022.7 stricken.

10. ☐ Prior convictions which affect defendant's sentence were alleged and disposed of ☐ as follows ☐ as set forth in attachment 10.

Conviction date	Jurisdiction	Crime and code Section	Applies to Count	Disposition
-----------------	--------------	------------------------	------------------	-------------

11. The court finds defendant a. ☐ is ☒ is not an habitual criminal under Pen C. 644a.
- b. ☐ is ☒ is not an habitual criminal under Pen C. 644b.

12. The Court pronounced sentence on (Date): 3-8-91 and defendant was held in custody, through and including the date of pronouncement of sentence for (Total no. of days): 373 as follows

Count	Time other than Dept. of Corrections	Dept. of Corrections Time
-------	--------------------------------------	---------------------------

1	373	
	187 good and work time	
	560 total	

13. Defendant is remanded to the custody of the Sheriff

- a. ☐ For the period of (Specify no. of days): ☐ upon conditions and recommendations set forth in attachment 13a.
- b. ☒ To be delivered ☒ at the earliest convenient time ☐ after 48 hours, excluding Saturdays, Sundays and holidays [Pen C. 1203c] into the custody of the Director of Corrections at
- (1) ☐ California Institution for Women—Frontera (3) ☒ California Institution for Men—Chino
- (2) ☐ California Men's Facility—Vacaville (4) ☐ Other:

14. ☐ The court requests a copy of the diagnostic study and recommendations as provided in Pen C. 1168.

15. The court advised defendant of all appeal rights as required in CRC Rule 260 and defendant acknowledged understanding them.

16. ☐ Other (See attachment 16)

Dated: 3-11-91 COMM. RICHARD M. ARONSON

(Type or print name)

COMMISSIONER

TOTAL NO. of boxes checked: 19

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a correct copy of the original on file in my office.

Clerk of the superior Court

[Seat]



By

Yuji Yamazaki

Deputy

JTY

MINUTE ORDER

C-79650

PEOPLE VS

Patterson, Jody Dion

PAGE 2

- (X) NO LEGAL CAUSE WHY JUDGMENT SHOULD NOT BE PRONOUNCED AND DEFT. HAVING PLED () GUILTY () NOLO CONTENDERE TO (X) BEEN FOUND GUILTY (X) OF A FELONY, TO WIT: 664/187(a) PC IN COUNT NO 1, DEFT. SENTCD. TO ST. PRISON FOR () LOW () MID () UPPER TERM OF 1 YEARS. PROBATION IS DENIED. *Life with possibility of Par*
- () DEFT HAS ALSO PLED () GUILTY () NOLO CONTENDERE TO () BEEN FOUND GUILTY OF THE ADDL CHARGE OF () FELONY () MISC IN CT AND () FELONY () MISC IN CT AND THE COURT WILL () STRIKE PUNISHMT. ON CT () SENT DEFT. TO ST. PRISON ON CT TO ADDL. YRS. () FOR EACH CT. OR () TOTAL YRS. () STAY EXEC. OF SENT () ON CT () PEND. APPEAL/COMPL. OF CT

- (X) COURT FINDS (X) NO ENHANCMTS. WERE CHGD. AND FOUND IN CT (X) PUNISHMT. TO BE STRICKEN ON () ALL CTS (X) CTS 12022a (ARMED) IN CT 12022b, 12022.3a, 12022.3b, (12022.5b) USE IN CT 12022.1 IN CT 12022.6, 12022.6b (PROPERTY VALUE) IN CT (12022.7, 12022.8 (GBI) IN CT
- (X) COURT FINDS (X) NO PRIOR (S) CHGD AND FOUND TRUE OR ADMITTED () PRIOR FND. PURS. P.C. () PRIOR FND. PURS. P.C. () THIS SENT. TO BE () CONCURR. WITH () CONSEC. TO ANY OTHER SENT. NOW BEING SVD. () SENT. IMPOSED FOR CT TO BE SERVED CONCURR. WITH SENT. FOR CT () SENT. IMPOSED FOR CT TO BE SERVED CONSEC. TO SENT. FOR CT () SENT. IMPOSED SHALL BE () CONCURR. WITH () CONSEC. TO CASE NO IMPOSED BY COUNTY

- (X) TOTAL TIME TO BE SERVED (X) FOR BASE TERM IN CT 1 () FOR ENHANCMTS ON CT () FOR PRIOR (S) () CONSEC. SENT ON CT () COURT STAYS YRS
- (X) TOTAL TIME IN ST. PRISON (X) DEFT CREDITED WITH 313 ACTUAL DAYS IN CUSTODY, PLUS 187 DAYS GOOD/WORK TIME (OTHER) FOR TOTAL OF 560 DAYS CREDIT PURS. STIP. OF DEFT. AND CSL. ()
- () DEPT. OF CORR. TO COLLECT \$ FOR ST. RESTITUTION FUND

- (X) THE REASON COURT PRONOUNCED JUDGMENT IN THIS MANNER IS AS FOLLOWS: *Court cannot find pattern of violent conduct and victim was not particularly vulnerable.*
- (X) CRT ADVISED DEFT OF BEING PLACED ON PAROLE AND THAT FOR A VIOL 1 ADDL. YRS. IN ST. PRISON MAY BE IMPOSED.
- (X) COURT ADVISED DEFT OF RIGHT TO APPEAL () BAIL ON APPEAL SET AT \$ () ALL REMAINING () PRIORS () ADDL. CTS. () ALLEGS. ARE STRICKEN (X) SHERIFF ORDERED TO DELIVER DEFT TO DEPT OF CORR AT CHINO/FRONTIERA *forthwith* (X) DEFT REMANDED TO CUSTODY () HNG. DATE OF VACATED () BAIL EXON. () DEFT TO BE HOUSED AT C.Y.A. PURS. 1731.5 W & I () THIS MINUTE ORDER TO CONSTITUTE THE (AMENDED) PROBATION ORDER

310

EXHIBIT “B”

SUBSEQUENT PAROLE CONSIDERATION HEARING

STATE OF CALIFORNIA

BOARD OF PAROLE HEARINGS

INMATE

In the matter of the Life)
Term Parole Consideration)
Hearing of:)
JODY PATTERSON)
_____)

CDC Number E-88649

CALIFORNIA TRAINING FACILITY

SOLEDAD, CALIFORNIA

August 2, 2006

10:12 A.M.

PANEL PRESENT:

Sandra Bryson, Presiding Commissioner
Carol Bentley, Deputy Commissioner

OTHERS PRESENT:

Jody Patterson, Inmate
Anthony Hall, Attorney for Inmate
Paul Chrisopoulos, Deputy District Attorney
Sarah Balli, Victim's Services
Matt Mabry, Victim
Two Correctional Officers Unidentified

CORRECTIONS TO THE DECISION HAVE BEEN MADE

See Review of Hearing
Transcript Memorandum

Odelia Doria

House of Scribes

ii

INDEX

	<u>PAGE</u>
Proceedings	1
Case Factors	6
Pre-Commitment Factors	7
Post-Commitment Factors	22
Parole Plans	35
Closing Statements	57
Recess	74
Decision	75
Adjournment	79
Transcriber Certification	80

--oOo--

P R O C E E D I N G S

1
2 **PRESIDING COMMISSIONER BRYSON:** Thank
3 you, this is the sixth Subsequent Parole
4 Consideration Hearing for Jody Patterson, CDC
5 Number E-88649. Today's date is August 2nd,
6 2006 and the time is 10:12. We're located at
7 California Training Facility, Soledad. The
8 inmate was received March 14th, 1992 from the
9 County of Orange. The life term began March
10 14th, 1991. The minimum eligible parole date is
11 August 26th, 1996, Case Number C (Charles)
12 79650, Count One, the controlling offense, Penal
13 Code 664/187 Attempted Murder-First for which
14 the inmate received a term of life. This
15 hearing is being recorded for the purpose of
16 voice identification, each of us will state our
17 first and last names, spelling the last name.
18 When it is your sir, after you spell your last
19 name, please state your CDC Number. I will
20 start and then go to my left. Sandra Bryson, B-
21 R-Y-S-O-N, Commissioner, Board of Parole
22 Hearings.

23 **DEPUTY COMMISSIONER BENTLEY:** Carol
24 Bentley, B-E-N-T-L-E-Y, Deputy Commissioner.

25 **VICTIM MABRY:** Matt Mabry, M-A-B-R-Y,
26 Victim.

27 **DEPUTY DISTRICT ATTORNEY CHRISOPOULOS:**

1 Paul Chrisopoulos, C-H-R-I-S-O-P-O-U-L-O-S,
2 Deputy District Attorney for the County of
3 Orange.

4 ATTORNEY HALL: Anthony Hall, H-A-L-L,
5 Attorney for Mr. Patterson.

6 DEPUTY COMMISSIONER BENTLEY: Mr.
7 Patterson, one moment, go ahead.

8 VICTIM SERVICES-BALLI: Sarah Balli, B(as
9 in Boy)-A-L-L-I, Victim's Services, PTS.

10 INMATE PATTERSON: Jody Patterson,
11 P-A-T-T-E-R-S-O-N, E-88649 CDC Number.

12 PRESIDING COMMISSIONER BRYSON: And I
13 note for the record we have two Correctional
14 Peace Officers in the room today, who are here
15 for security purposes. Commissioner, is there
16 any confidential material in the file, and if so
17 will it be used today?

18 DEPUTY COMMISSIONER BENTLEY: There is
19 but we won't use it.

20 PRESIDING COMMISSIONER BRYSON: Thank
21 you. All right, I've passed the hearing
22 checklist, Marked Exhibit One, (indiscernible)
23 and also to the District Attorney, to make sure
24 we're all operating with the same set of
25 documents. And Counsel, do you have the
26 documents?

27 ATTORNEY HALL: Yes, we do.

1 PRESIDING COMMISSIONER BRYSON: Does the
2 District Attorney have all --

3 DEPUTY DISTRICT ATTORNEY CHRISOPOULOS:

4 Yes, I do.

5 PRESIDING COMMISSIONER BRYSON: -- the
6 documents? Thank you. I would like to note
7 that the Psychiatric Report for August 2nd,
8 2006, was just received today. All right, are
9 there any additional documents to be submitted,
10 Counsel?

11 ATTORNEY HALL: We have some recent
12 chronos and a certificate. Thank you.

13 INMATE PATTERSON: Those are my only
14 copies of --

15 PRESIDING COMMISSIONER BRYSON: You'll
16 get them back.

17 DEPUTY COMMISSIONER BENTLEY: You'll get
18 them back.

19 INMATE PATTERSON: Okay, thank you.

20 PRESIDING COMMISSIONER BRYSON: All
21 right, Sir, today, you and your Attorney, find
22 the document marked Exhibit Two, regarding ADA
23 rights, ah, Accommodation Hearing Procedures and
24 Inmates Rights. And first I'd like to reference
25 the documents, BPT 1073, which you signed April
26 12th, 2006, ah, saying that in fact you did not
27 have any major disabilities, ah, we understand

1 that ah, you actually have a very high ah,
2 reading level and a GPO of 12.9, which is very
3 high. Ah, you asserted that you needed help to
4 see with glasses. Do you have those with you?
5 All right, and do they work for you?

6 INMATE PATTERSON: Yes.

7 PRESIDING COMMISSIONER BRYSON: Okay.

8 And you -- you can see fine otherwise?

9 INMATE PATTERSON: Yes.

10 PRESIDING COMMISSIONER BRYSON: Okay.

11 And I'll just ask you -- perform a hear -- ah,
12 how's your hearing, is it okay?

13 INMATE PATTERSON: Yeah.

14 PRESIDING COMMISSIONER BRYSON: And you
15 had no trouble walking to the hearing room?

16 INMATE PATTERSON: No I did not.

17 PRESIDING COMMISSIONER BRYSON: All
18 right. Ah, Counsel, do you have any concerns
19 regarding this inmate's ADA rights, or his
20 ability to participate in this hearing?

21 ATTORNEY HALL: No we don't.

22 PRESIDING COMMISSIONER BRYSON: All
23 right, thank you. One more question I should
24 ask, Sir, because ah, you have ah, prior been on
25 psychotropic drugs, I believe?

26 INMATE PATTERSON: Yes.

27 PRESIDING COMMISSIONER BRYSON: Are you

1 on any now?

2 INMATE PATTERSON: No I'm not.

3 PRESIDING COMMISSIONER BRYSON: All
4 right. Are you on any other drugs which would
5 interfere, possibly, with your ability to
6 participate in this hearing?

7 INMATE PATTERSON: No, the only thing --
8 Prozac, I mean -- Prilosec.

9 PRESIDING COMMISSIONER BRYSON: Oh, I --

10 INMATE PATTERSON: Not Prozac.

11 PRESIDING COMMISSIONER BRYSON: All
12 right. Prilosec should be no problem, all
13 right. Counsel, are there any preliminary
14 objections?

15 ATTORNEY HALL: There is none.

16 PRESIDING COMMISSIONER BRYSON: All
17 right, thank you. Will the inmate be speaking
18 with the Panel today?

19 ATTORNEY HALL: Ah, he will be speaking,
20 however, ah, he admits and takes responsibility
21 for the crime, and will not discuss it today.

22 PRESIDING COMMISSIONER BRYSON: All
23 right. Well, if you're going to speak with us
24 at all, then I need -- still to swear you in,
25 will you raise your right hand. You solemnly --

26 INMATE PATTERSON: (indiscernible)

27 PRESIDING COMMISSIONER BRYSON: -- You

1 solemnly or affirm that the testimony you give
2 at this hearing, will be the truth, the whole
3 truth, and nothing but the truth?

4 INMATE PATTERSON: Yes, I do.

5 PRESIDING COMMISSIONER BRYSON: All
6 right, thank you. I will read the summary of
7 the crime, and of course, in the Probation
8 Officer's Report, pages three to eight:

9 The crime occurred on February 28th,
10 1990, as Matt Mabry, Patterson's prior
11 job foreman, drove his pickup truck
12 from the job site. As Mabry was
13 coming to a stop, he heard a shot and
14 the right passenger side window of his
15 pickup truck was shattered. He ducked
16 down in the truck and when he peeped
17 out, the second bullet struck the
18 door, which fragmented the bullet,
19 tore open his right arm, injured his
20 neck and chest area. Bleeding, Mabry
21 crawled out the driver's side door and
22 looked back to the area, where he
23 heard the shots. He saw Patterson
24 holding what appeared to be a 30-30
25 rifle, which was pointed at him.
26 Mabry ducked behind his truck,
27 scurried across the street, and

1 started to run from the area, but fell
2 on the raised center median. Mabry
3 was transported to a hospital where he
4 underwent surgery to remove debris and
5 fragments from his arm and chest.
6 Police took Patterson into custody at
7 his home that same day. Approximately
8 two weeks prior to the crime, Mabry
9 and Patterson had gotten into an
10 argument regarding Patterson's poor
11 workmanship. Mabry had Patterson
12 transferred to a different job site
13 due to their inability to get along.
14 Patterson remained for a few days at
15 the new job site before being laid-off
16 due to lack of work. Mabry advised
17 that on the day preceding the offense,
18 Patterson drove up behind him on the
19 freeway, after he had left the job
20 site, in his truck, but he lost
21 Patterson when he exited and made
22 evasive maneuvers. The day of the
23 offense, co-workers informed Mabry
24 that Patterson had been on the job
25 site the previous couple of days,
26 sitting in his vehicle and drinking.
27 As pre-conviction factors, I will

1 incorporate by reference, this inmate's pre-
2 conviction factors as set forth in the
3 California Identification and Investigation
4 Bureau, commonly known as the CINI Report.
5 I'm noting that this inmate has a juvenile
6 record of reckless driving arrest and
7 unauthorized sale of vehicle, out of New
8 York state. And as to ah, adult arrest and
9 convictions, this inmate has vehicle code
10 violations only, with suspended license
11 effective, June 5th, of 2000 -- or excuse me,
12 of 1990. As to personal factors, you were
13 born in New York, Sir?

14 INMATE PATTERSON: Yes.

15 PRESIDING COMMISSIONER BRYSON: Ah,
16 and your parents separated. Mother
17 remarried and divorced your step-father when
18 you were three years old. A second marriage
19 produced two brothers and a sister. Ah,
20 then apparently you've re-established
21 communications with your step-father.

22 INMATE PATTERSON: Ye -- no, my ah --

23 PRESIDING COMMISSIONER BRYSON: When
24 you were 17?

25 INMATE PATTERSON: No, my real father.

26 PRESIDING COMMISSIONER BRYSON: Oh --
27 your biological father.

1 INMATE PATTERSON: Sure.

2 PRESIDING COMMISSIONER BRYSON: Okay.

3 All right, are you in communication with him
4 today?

5 INMATE PATTERSON: Yes, I am.

6 PRESIDING COMMISSIONER BRYSON: All
7 right. Hum, where does he live?

8 INMATE PATTERSON: He lives down in
9 Wildomar, by Lake Elsinore in California.

10 PRESIDING COMMISSIONER BRYSON: Oh, I
11 see, okay. Ah, and then your mother, ah,
12 raised you, hum -- now it says you moved out
13 off -- out on your own at 16, hum, and there
14 is some incident you had -- a molestation
15 you had when you were five years old and
16 counseling following the incident. But then
17 you graduated from high school in Angelica,
18 New York, hum -- it's a very short
19 biography, so basically --

20 INMATE PATTERSON: Yeah.

21 PRESIDING COMMISSIONER BRYSON: -- it
22 shows all over the map, it's pretty hard to
23 track. How would you characterize your
24 upbringing? At least prior to the time you
25 left home?

26 INMATE PATTERSON: My upbringing, it
27 was okay, my mom drank a lot so --

1 PRESIDING COMMISSIONER BRYSON: I see.

2 INMATE PATTERSON: So, you know, I --
3 but she did the best she could raising us on
4 welfare -- she had -- I -- me and my two
5 younger brothers and my younger sister to
6 take care of, so, she did a good job, but --
7 I -- I went all the way through school and
8 graduated, I moved out -- this is a small,
9 farm community.

10 PRESIDING COMMISSIONER BRYSON: I see.

11 INMATE PATTERSON: So, I had a --
12 there's apartment, you know, mother - son -
13 argument, I moved out for two months into
14 that -- to that apartment, and then moved
15 back home.

16 PRESIDING COMMISSIONER BRYSON: Oh, I
17 see.

18 INMATE PATTERSON: Yeah, I mean it
19 was--

20 PRESIDING COMMISSIONER BRYSON: All
21 right that --

22 INMATE PATTERSON: -- believe that it
23 seems like I moved away from home at 16 --

24 PRESIDING COMMISSIONER BRYSON: -- all
25 right, that's exac --

26 INMATE PATTERSON: -- and never went
27 back, yeah, no.

1 PRESIDING COMMISSIONER BRYSON: Did
2 you do an Olsen review, a C file, review.

3 INMATE PATTERSON: Yes.

4 PRESIDING COMMISSIONER BRYSON: Ah,
5 that's the time to try and make corrections
6 in your record.

7 INMATE PATTERSON: You try -- if you
8 read this -- the -- the reports versus the
9 actual, what my parole plans are, it's -- I
10 understand this counselors have a million
11 people to see, and so, when they -- they
12 talk to you, they gather as much information
13 as they can, but when it comes back to them
14 doing the report, they're in a room, they
15 got all this paper and they do reports and
16 it looks like, sometimes they just go off
17 the last report, which I can understand for
18 the most part, they glean information from
19 there, and so -- but they're close and --

20 PRESIDING COMMISSIONER BRYSON: Well,
21 these errors perpetuating and the beam of
22 our existence and we can't do anything to --

23 INMATE PATTERSON: Yeah, I understand.

24 PRESIDING COMMISSIONER BRYSON: To
25 correct them from our perspective.

26 INMATE PATTERSON: And I've tried to
27 correct them myself.

1 PRESIDING COMMISSIONER BRYSON: Okay.

2 INMATE PATTERSON: I've even written
3 it out in pieces of paper and given to them,
4 apparently to no avail, so.

5 PRESIDING COMMISSIONER BRYSON: Okay.

6 Hum, keep trying --

7 INMATE PATTERSON: Yeah.

8
9 PRESIDING COMMISSIONER BRYSON: -- is
10 all I can recommend in that regard. And the
11 Olsen review time would be the time to try
12 to do that. Ah, all right, you ah,
13 graduated from high school in Angelica, New
14 York, then you attended a -- is that --
15 Boches?

16 INMATE PATTERSON: BOCES, that's an
17 acronym for --

18 PRESIDING COMMISSIONER BRYSON: Okay,
19 vocational trade school?

20 INMATE PATTERSON: Yeah.

21 PRESIDING COMMISSIONER BRYSON: And
22 received a certificate in diesel mechanics.

23 INMATE PATTERSON: Yes.

24 PRESIDING COMMISSIONER BRYSON: All
25 right, ah, you relocated to southern
26 California -- did that have to do with work?
27 Was that work related, your relocation or

1 what was that about?

2 INMATE PATTERSON: No, because my Dad
3 and my two older brothers and older sister
4 were out here.

5 PRESIDING COMMISSIONER BRYSON: Those
6 are my -- my last name's Patterson and my
7 younger siblings are Coniato and so the
8 Patterson's all lived out here in
9 California. So, when I turned 18 and
10 graduated high school, I moved out here with
11 my Dad.

12 PRESIDING COMMISSIONER BRYSON: And
13 then, did you go to work right away?

14 INMATE PATTERSON: Yeah.

15 PRESIDING COMMISSIONER BRYSON: Doing
16 what?

17 INMATE PATTERSON: I worked at a
18 factory called Load Hold Server Company
19 where I met and subsequently married my wife
20 Linda.

21 PRESIDING COMMISSIONER BRYSON: I see,
22 okay. Ah, and, let's see, you have a
23 daughter and son, is that right?

24 INMATE PATTERSON: Yes.

25 PRESIDING COMMISSIONER BRYSON: Okay.

26 INMATE PATTERSON: April and Adam.

27 PRESIDING COMMISSIONER BRYSON: Aha.

1 How are they? Are you able to talk stay in
2 contact with them?

3 INMATE PATTERSON: They're good -- my
4 son and I are having father - son disputes,
5 but --

6 PRESIDING COMMISSIONER BRYSON: Oh,
7 okay.

8 INMATE PATTERSON: -- they're good.

9 PRESIDING COMMISSIONER BRYSON: What's
10 he doing now?

11 INMATE PATTERSON: He's ah, actually
12 trying to get his contractor's license. So
13 he works with my Dad on and off and they do
14 jobs and he works in the construction field,
15 so, he's trying to get his -- worked that
16 out in construction, he -- I was hoping he
17 would -- he was talking about being -- going
18 to the Air Force Academy. And I guess that
19 changed. I was really hoping he would but--

20 PRESIDING COMMISSIONER BRYSON: Must -
21 - must be a bright kid then.

22 INMATE PATTERSON: Yes, he -- he's
23 pretty smart. He has problem math, kinda
24 like me, I had problems with math in school,
25 but he's --

26 PRESIDING COMMISSIONER BRYSON: Hope
27 about your daughter, then?

1 INMATE PATTERSON: My daughter's
2 great, she's ah, she's in college, she
3 should be graduating this year. If she
4 doesn't change her major again, and ah, and
5 so, she's doing good.

6 PRESIDING COMMISSIONER BRYSON: All
7 right, ah, now you were divorced in '85,
8 then you remarried and divorced again in
9 '94.

10 INMATE PATTERSON: Yes.

11 PRESIDING COMMISSIONER BRYSON: Okay.
12 What's your relationship with your former
13 wife at this time? Any of the sort?

14 INMATE PATTERSON: Friendly.

15 PRESIDING COMMISSIONER BRYSON: Is it?

16 INMATE PATTERSON: Yeah, and I -- I've
17 been trying to maintain that friendship with
18 her because, one we have the two children
19 and two, I just think she's a great person.
20 So, you know, you need great people in your
21 life as friends, she would be an asset to me
22 as a friend, and I've let her know that and
23 I hope that continues.

24 PRESIDING COMMISSIONER BRYSON: Good
25 for you. Okay, now you had bouts with
26 depression, drugs, ah, let's try to address
27 that a little bit because that's -- that's a

1 huge concern obviously, to a Panel, in terms
2 of parole.

3 INMATE PATTERSON: Yes.

4 PRESIDING COMMISSIONER BRYSON: And I
5 would guess that, and you will have to speak
6 to that, but ah, I would guess that that
7 played into your -- in your commitment
8 offense. Ah, tell us about that. How did
9 you get started on drugs and what was --
10 what types of drugs in that timeframe were
11 you doing?

12 INMATE PATTERSON: Well, I started
13 smoking marijuana and drinking beer back
14 when I was younger, like 12 - 13 years old,
15 in a small farm community, you know, as --
16 but it -- it wasn't very often and it was
17 with people called back then 'homegrown' --
18 what we get in upstate New York is like
19 rural, low-grade stuff. So it wasn't that
20 big of a deal, but to me as a 12 - 13 year
21 old kid, occasionally, and that's how it
22 started. And I always heard those stories,
23 that if gradually graduate to stronger
24 drugs, but you never listen. I came to
25 California where drugs, down in Orange
26 County, were prevalent. And everybody that
27 I knew was doing all kinds drugs, every time

1 a new designer drug would come out, people
2 were doing them and I got them. Caught
3 right up in that lifestyle. And pretty soon
4 I found methamphetamines, that was my
5 biggest mistake in life, I think. Well,
6 second biggest mistake in life. But ah, so,
7 methamphetamines just took control, I had,
8 it was unbelievable. It gave you energy to
9 do -- live both ends of the world, ah, it
10 was -- it was -- and I'd -- if I could have
11 seen the deterioration that was causing.
12 But you just don't see it when you're
13 involved in it, you know, I had to step
14 outside of it, come in here, and ah, and
15 look back and see what it did to my life, to
16 realize just how terrible of a drug,
17 methamphetamines is. And that was my
18 biggest drug. I tried the cocaine, I ah,
19 I've even tried heroine in the past, didn't
20 like those, it was methamphetamines. And
21 ah, and now it's been 16 years, five months
22 and two days, I guess, clean and sober, so
23 I'm proud of it.

24 PRESIDING COMMISSIONER BRYSON: So,
25 you've been clean and sober the whole time
26 in here.

27 INMATE PATTERSON: Exactly.

1 PRESIDING COMMISSIONER BRYSON:

2 Congratulations.

3 INMATE PATTERSON: When you wake up to
4 something like this, and you see what drugs
5 did to you -- I wanted to be a success, I
6 was raised on welfare, my biggest thing was
7 to have my children, I bought a home at 23
8 years old, I wanted to be a success. Get
9 away from that welfare, I want to be a good
10 father to my children because my father
11 wasn't there and that was a driving goal for
12 me, and -- and drugs just took it all away.
13 Took it all away -- changed my whole way of
14 thinking.

15 PRESIDING COMMISSIONER BRYSON: I
16 realize you don't want to talk about the
17 commitment offense, and you don't have to
18 answer this question, but I'd like to know,
19 were you on -- under the influence at the
20 time of the -- in the timeframe of this
21 crime?

22 INMATE PATTERSON: Yes, I was.

23 PRESIDING COMMISSIONER BRYSON: Okay.

24 And was meth a driving -- driving --

25 INMATE PATTERSON: Yes, I'd been up
26 for several days on meth.

27 PRESIDING COMMISSIONER BRYSON: Okay.

1 How would you characterize you -- and I know
2 you were inside yourself, so, but based on
3 things that happened in your life and not
4 just with the commitment offense, but with
5 other issues and incidents, whatever they
6 were, how would you characterize your
7 demeanor and your affect, whenever you were
8 on methamphetamine?

9 INMATE PATTERSON: You know what, on
10 it, ah, really high on it, without having --
11 'cause after a few days of use, you go to
12 this cranky, secluded, recluse of a person
13 that doesn't want to be around nobody, but
14 on the first couple of days of it, it makes
15 you very outgoing, you want to go and visit
16 people, ah, you know, with my wife and I, I
17 would try to talk her into doing it for late
18 night participation type -- you know, that
19 was -- that was the main thing, the reason
20 we -- her and I would use it, was for our
21 sex life, but then it escalated into this --
22 I would use it all the time and then it
23 became daily and then I started needing it
24 to get to work and -- and ah, so, the first
25 couple of days it makes you well outgoing
26 and then after that, you don't want to be
27 around nobody.

1 PRESIDING COMMISSIONER BRYSON: Now
2 did your employer know that you were doing
3 drugs?

4 INMATE PATTERSON: I don't ah, I would
5 -- I would think that maybe it was possible
6 that they knew, ah, but it wasn't something
7 that I just tried to put right out there in
8 front of them.

9 PRESIDING COMMISSIONER BRYSON: Now
10 you say your wife was also doing drugs?

11 INMATE PATTERSON: She was a -- at
12 first a weekend -- what we call a weekend
13 warrior? She would do drugs on the weekend,
14 but she -- she later on tried to not do
15 them. She ah, she was a mother and ah, and
16 those children were important to her and
17 apparently at that time more important to
18 her than they were me, because she tried to
19 talk to me about, you know, our children and
20 doing drugs and what it's going to do, and I
21 -- they even called ah, one of those Charter
22 hospitals or like a ^(snick)shit center, and tried
23 to get me checked into those. They called
24 me, like a few days before this crime, and
25 tried to get me to check in, and I just
26 wasn't seeing it. You know, I just -- I
27 don't have a problem, what are you doing,

1 you know. The illusions of drugs.

2 PRESIDING COMMISSIONER BRYSON: Okay,
3 all right. Commissioner, you have any
4 questions at this time?

5 DEPUTY COMMISSIONER BENTLEY:
6 (indiscernible).

7 PRESIDING COMMISSIONER BRYSON: All
8 right, thank you. Is there anything else, I
9 think, and we have before you what we have
10 in the Board Report, but is there anything
11 else about your ah, your prior history, that
12 you'd like to discuss, that you think would
13 help us understand you. This is just prior
14 to the commitment offense.

15 INMATE PATTERSON: No, other than that
16 I ah, I -- I really strove to be a good
17 person, and ah, I've never committed any
18 kind of ah, a violent acts toward anybody in
19 the past and I haven't since, and it's just,
20 I did this thing, and ah, and it's not me,
21 but those drugs did that to me, at that time
22 and my childish attitude about the drugs and
23 so.

24 PRESIDING COMMISSIONER BRYSON: Okay,
25 all right then we'll go to Commissioner
26 Bentley for post-conviction factors.

27 DEPUTY COMMISSIONER BENTLEY: All right,

1 thank you, good morning.

2 INMATE PATTERSON: Good morning.

3 DEPUTY COMMISSIONER BENTLEY: It's been
4 several years since I've seen you.

5 INMATE PATTERSON: Yeah, back in '95.

6 DEPUTY COMMISSIONER BENTLEY: Yeah, okay.
7 Your last Board Hearing was July 22nd of 2004.

8 INMATE PATTERSON: Yes.

9 DEPUTY COMMISSIONER BENTLEY: And you
10 came in March of '91 at CRIM, and then February
11 '95 you were -- came to CTF.

12 INMATE PATTERSON: Yes.

13 DEPUTY COMMISSIONER BENTLEY: Your
14 classification is currently 19 and you've picked
15 up a total of three 115s over the years, the
16 last one being May 2nd, of 2004, and that was
17 refusal to obey. Why -- why would you refuse to
18 hand out the food?

19 INMATE PATTERSON: Well, one -- there was
20 ah, a gather on the yard amongst the -- the
21 white inmates and the deal was that no white
22 inmates were going to be passing out trays, and
23 I had to take the 115. I wasn't going to go
24 against what the majority said and that's my
25 life that's in danger.

26 DEPUTY COMMISSIONER BENTLEY: It was --
27 was reduced to administrative.

1 INMATE PATTERSON: Yes it was 'cause they
2 understood what happened.

3 DEPUTY COMMISSIONER BENTLEY: And then
4 you have three counseling chronos and the last
5 one was in 2001 for failure to report to your
6 assignment.

7 INMATE PATTERSON: Yes.

8 DEPUTY COMMISSIONER BENTLEY: And was
9 your work since your last hearing, you've been a
10 porter in the mail room?

11 INMATE PATTERSON: No.

12 DEPUTY COMMISSIONER BENTLEY: And back in
13 2004, it said something like that?

14 INMATE PATTERSON: No, I've never --

15 DEPUTY COMMISSIONER BENTLEY: Cleaning,
16 wiping tables and stuff like that.

17 INMATE PATTERSON: Oh no, I was -- I
18 worked in culinary.

19 DEPUTY COMMISSIONER BENTLEY: Okay.

20 DEPUTY COMMISSIONER BENTLEY: Okay.

21 INMATE PATTERSON: On the mail room --
22 no.

23 DEPUTY COMMISSIONER BENTLEY: Meal -- I
24 said meal.

25 INMATE PATTERSON: Oh, meal, I'm sorry.

26 DEPUTY COMMISSIONER BENTLEY: That's
27 okay, that's all right.

1 INMATE PATTERSON: Yeah.

2 DEPUTY COMMISSIONER BENTLEY: Then you --
3 you worked culin -- culinary and are you still
4 in that assignment?

5 INMATE PATTERSON: Yeah, but I'm no
6 longer out in the dining hall area, I'm back in
7 the pot room where we wash the pots and pans.

8 DEPUTY COMMISSIONER BENTLEY: Right, and
9 you're getting average to above average work
10 reports.

11 INMATE PATTERSON: Yes.

12 DEPUTY COMMISSIONER BENTLEY: And
13 vocationally you've completed welding in 1993.

14 INMATE PATTERSON: Yes.

15 DEPUTY COMMISSIONER BENTLEY: Would that
16 still be considered correct?

17 INMATE PATTERSON: Actually, welding I
18 believe is in '98.

19 DEPUTY COMMISSIONER BENTLEY: Oh, you
20 know I think you're right. I think
21 (indiscernible) and I did get your
22 (indiscernible) certificate in here --

23 INMATE PATTERSON: Yeah.

24 DEPUTY COMMISSIONER BENTLEY: -- in this
25 report.

26 INMATE PATTERSON: Actually, there should
27 be like five of them.

1 DEPUTY COMMISSIONER BENTLEY: Yeah, I
2 meant like the completed --

3 INMATE PATTERSON: Oh, okay, okay.

4 DEPUTY COMMISSIONER BENTLEY: -- you have
5 the -- yeah, you have the certificates for the
6 various aspects of it, but it shows that it's
7 totally completed. And you have gotten involved
8 in AA and NA. You started your first time, I
9 saw was in '96. Was that correct?

10 INMATE PATTERSON: Yeah, January 2nd, of
11 '96. I had to get off close custody and then I
12 -- as a matter of fact, at that '95 hearing,
13 which you presided, that was the -- the issue,
14 is I was in close custody and you guys had told
15 me, and I said yes, soon as I get off close
16 custody they have -- you couldn't be in AA or NA
17 or participation in any of those kind of
18 programs while on close custody because of
19 counts.

20 DEPUTY COMMISSIONER BENTLEY: Right.

21 INMATE PATTERSON: Right. So, I started
22 shortly after that hearing.

23 DEPUTY COMMISSIONER BENTLEY: Okay, all
24 right. Well, and I can see, (indiscernible)
25 cause you've consistently gone.

26 INMATE PATTERSON: Yes, I have.

27 DEPUTY COMMISSIONER BENTLEY: All through

1 the years, because you have chronos to back that
2 up, so what have you learned from that?

3 **INMATE PATTERSON:** I've -- I've learned
4 quite a bit about addiction, actually. And I've
5 taken addiction recovery programs also. And
6 yesterday, as a mater of fact, I just took
7 another program for the last two days, but ah,
8 ah, addiction is a prob -- but see, I -- I was
9 addicted to drugs and I learned that also I
10 smoked cigarettes and I did things excessively
11 and so I had that addicted personality. So, I
12 think that ah, attending these 12 Step programs,
13 and I know they have a 12 Step Program for
14 everything now, but ah, you know, especially in
15 the line of drugs or drinking alcohol, there's
16 an addicted personality can re-do those things,
17 so, I've worked to control all that. I -- I no
18 longer smoke, I drink one cup of coffee in the
19 morning --

20 **DEPUTY COMMISSIONER BENTLEY:** Did you
21 quit 'cause you had to?

22 **INMATE PATTERSON:** Nope.

23 **DEPUTY COMMISSIONER BENTLEY:** At first,
24 not because you were required to do that.

25 **INMATE PATTERSON:** Nope, I quit back when
26 I came to prison and woke up and seen ah, I came
27 to county -- the county jail, and seen what I